

SELECTMEN'S MEETING MINUTES

September 28, 2010

Members Present: Lynda Walsh, Chairman
Larry Harrington, Vice Chairman
James J. DeVellis, Clerk
Lorraine Brue
Paul Mortenson

Others Present: Jack Authelet, Historian
Randy Scollins, Finance Director
Thomas Buckley, Michael Laracy, Robert Hodge, Board of

Assessors

Michael Johns, Veterans' Agent
Jeff Lovely, Chairman, Boyden Library Trustees
Janet Pineault and Fran Spillane, Library Trustees
Ed Tartufo & Tim Kenneally, Chamber of Commerce

The meeting was brought to order at 7:00 p.m. by Lynda Walsh, Chairman.

7:00 – Citizens' Input – Jack Authelet announced that a Re-committal service for the unmarked grave on the State Hospital property would be held Saturday, September 11th at the cemetery on Cross Street. He asked for Board representation at that service. He felt that 09/11 is an appropriate date for giving the unknown person an honorable and permanent resting place

Kris Long, 4 Pini Terrace, asked that Halloween celebrations be switched to Saturday, Oct.30th instead of the 31st since a Patriots home game is scheduled for October 31st. She and other parents are very concerned about children being out on the streets for "Trick or Treat" at the same time football fans would be driving away from the Stadium. A brief discussion was held.

Motion by Paul Mortenson to support the request to move the celebration of Halloween to Saturday, Oct 30th for this year only. Seconded by Lorraine Brue. **Vote: 5-0-0**

Edward A. Butler and Thomas Nellis, on behalf of Foxboro-Sharon Knights of Columbus, came before the Board seeking permission to conduct the annual "Tootsie Roll" drive to be held October 9th and 10th from 8:00 a.m.to 1:00 p.m. Ed Butler said he had all ready checked with Chief O'Leary. A brief discussion was held.

Motion by Paul Mortenson to approve the request to conduct the annual "Tootsie Roll" drive on October 9th and 10th as requested. Seconded by Jim DeVellis. **Vote: 5-0-0**

7:05 – Public Hearing – Board of Assessors – Jim DeVellis, Clerk, read the Public Hearing Notice. The purpose of this Public Hearing is to review property valuations subject to taxation. Randy Scollins, Finance Director, explained that once a decision is made on the tax rates by the Board of Selectmen and State approval is received, he would expect to get the tax bills out by October 14, 2010 with a due date of November 15, 2010.

Randy distributed documentation for review by the BOS explaining the process. He reviewed the Executive Summary including FY-11 Tax Levy, FY-11 Property Values, FY-11 Tax Rate, the FY-11 Tax Bill, Area Community Comparisons and Shifting the FY-11 Tax Burden from Residential to Business. Tom Buckley, Chief Assessor, pointed out that the values have dropped town wide. He explained that values are set according to property sales, commercial values are set by income and expenses. Values have dropped significantly as anticipated for local tax payers. The recommendation from the Board of Assessors is to keep a single tax rate, at least for the coming year. The feeling is that a split tax rate would adversely affect tenants in rental units and small businesses. A brief discussion was held.

Motion by Paul Mortenson to vote to maintain a residential factor on one for the upcoming tax year. Seconded by Jim DeVellis. **Vote: 5-0-0**

7:35 – Public Hearing – Storage Tanks at 123 Central Street – Jim DeVellis, Clerk, read the Public Hearing Notice. The purpose of this Public Hearing was to discuss the application to amend the license of 123 Central Street, Foxborough for Ownership transfer and Certificate of Registration to Global Companies LLC for underground storage tanks of 24,000 gallons of flammable liquids. A brief discussion ensued.

Motion by Paul Mortenson to approve the amendment to the license of 123 Central Street for Ownership Transfer and Certificate of Registration to Global Companies LLC as submitted. Seconded by Lorraine Brue. **Vote: 5-0-0**

7:45 – Veterans Services Advisory Committee – Michael Johns, Veterans Agent, came before the Board to discuss the Veterans Services Advisory Committee. He explained that a nine member committee would provide a broad representation of the community. He is looking for recommendations and advice in doing a good job, reaching out to people in town especially the veterans. He said his #1 priority is to reach out and make sure he is touching the right people. The members of the Committee are: Joseph Bykowski, James Finn, David Gaffey, Michael Geary, Bertha Maloof, Josephine Miller, Robert Millman, Bruce Norton and Ed O'Malley. Mike Johns said he wants the Committee to be the voice of the people who need care; they would be visiting veterans at home, hospitals or to those who need nursing care. A brief discussion ensued.

Motion by Paul Mortenson to approve the appointment of Joseph Bykowski, James Finn, David Gaffey, Michael Geary, Bertha Maloof, Josephine Miller, Robert Millman, Bruce Norton and Ed O'Malley as members of the Veterans Services Advisory Committee for a term of one year hence. Seconded by Jim DeVellis.

Vote: 5-0-0

8:05 - Boyden Library – Parking Safety – Jeff Lovely, Chairman of Boyden Library Trustees, came before the Board to discuss employee parking around the Common. Jeff Lovely pointed out that parking around the common has to be made safe for employees and library patrons as well. The risks of crossing from the Common are clear when the sign “Stop for Pedestrians” is destroyed by motorists one day after installation. Jeff pointed out that parking on Railroad Ave presents safety issues for female employees as it is a somewhat isolated area.

A general discussion was held. Trustee Frances Spillane suggested marking the cross walks more clearly and installing signs that warn motorists of pedestrians crossing. It would also be helpful if drivers who go around the Common too fast were given tickets for speeding. Lynda Walsh suggested painting the cross walks with hash marks to make them more visible. It was also suggested that consideration should be given to working towards some solution through upcoming library construction plans.

Motion by Paul Mortenson to ask the Town Manager to work with Police Chief O'Leary, Randy Scollins and Bob Swanson to resolve the issue of safety for pedestrians crossing to go to the library.

Motion by Larry Harrington to direct Bob Swanson, Highway Superintendent to immediately work on signage and painting, marking crosswalks and lanes around the Common. Seconded by Paul Mortenson.

Vote: 5-0-0

8:25 – Industrial Development Committee – Jim DeVellis took a few moments to explain how it came about that an Industrial Development Committee should be reactivated in Foxborough. Ed Tartufo and Tim Kinneally were present to explain the advantages of having such a committee. Ed Tartufo pointed out that this would be a good time to get the IDC going in Foxborough and a good opportunity to work with three other communities to promote the Southeastern Mass area. He said the area is fortunate to have some large companies that are involved in community activities and these can act as a magnet to further industrial development. More regional meetings have to happen to enhance growth in surrounding towns. Larry Harrington pointed out there is more space to be developed along Route 1 and more dialog is needed. Tim Kinneally said the Town should have an Industrial Development Committee; he remembered it had been discussed by the Advisory Committee. This is good for the Town as well as the whole region. Jim DeVellis is trying to find people in Town to come together

to get things started; he would like to put something together in the next couple of months.

8:35 – Goals and Objectives – Lorraine Brue reviewed the list of goals and objectives and asked for comments regarding prioritization. She also pointed out that some items are categorized relative to the Town Manager. After discussion Lorraine said she would make the appropriate changes for discussion at a future meeting.

ACTION:

Minutes – The Minutes of the Board of Selectmen's Meetings of September 14 and 15 were reviewed.

Motion by Paul Mortenson to approve the Minutes of September 14, 2010 as amended. Seconded by Jim DeVellis. **Vote: 5-0-0**

Motion by Larry Harrington to approve the Minutes of September 15, 2010 as submitted. Seconded by Lorraine Brue. **Vote: 5-0-0**

Award of Joint Salt Bid – Received from Kenneth P. Feeney, Superintendent, Public Works, Medfield a letter giving a summary of the Joint Salt Bid, opened September 9, 2010. The award is to the lowest bidder – American Rock Salt, Mount Morris, NY, at \$47.20 and Eastern Minerals, Inc., 120 Plain Street, Lowell, MA. at \$47.63. A brief discussion was held relative to how much salt is used and what other towns in the area are doing for public safety.

Motion by Paul Mortenson to approve the bid award to American Rock Salt, Mount Morris, NY at \$47.20 for CC Delivered. Seconded by Jim DeVellis. **Vote: 5-0-0**

Motion by Paul Mortenson to approve the bid award to Eastern Minerals, Inc. 130 Plain Street, Lowell MA. at \$47.63 for Solar Delivered. Seconded by Jim DeVellis. **Vote: 5-0-0**

Pfizer Foundation Volunteer Program – Received from Vicki Lowe, C.O.A. Executive Director, notice of the receipt of an award from the Pfizer Foundation Volunteer Program in the amount of \$1,000 in recognition of volunteer dedication by Ms. Barbara Malley

Motion by Larry Harrington to accept the award in the amount of \$1,000 from the Pfizer Foundation Volunteer Program in recognition of the volunteer dedication of Ms. Barbara Malley. Seconded by Paul Mortenson. **Vote: 5-0-0**

Early Sunday Opening Hours – Received from O'Charley's Inc. – 99 Restaurant a request to extend hours to 11:00 a.m. during which alcoholic

beverages may be sold for the 2010/2011 calendar year. The alcoholic beverages would be served with food.

Motion by Paul Mortenson to approve the request from 99 Restaurant to extend hours to 11:00 a.m. for the serving of alcoholic beverages to be served with food. Seconded by Larry Harrington. **Vote: 4-0-1** (Jim DeVellis recused himself)

Received from American Legion Post 93 a request for a Sunday opening at 11:00 a.m. for the serving of alcoholic beverages with food being served.

Motion by Paul Mortenson to approve the request from American Legion Post 93 for the extension of hours on Sunday – the serving of alcohol to be accompanied by food. Seconded by Jim DeVellis. **Vote: 5-0-0**

Invoices - Received from Collins, Loughran & Peloquin, P.C. an invoice for legal services rendered August 1, 2010 through August 31, 2010 in the amount of \$4,763.75.

Motion by Larry Harrington to approve the invoice from Collins, Loughran & Peloquin, P.C. for legal services rendered August 1 – 31, 2010 in the amount of \$4,763.75 as submitted. Seconded by Paul Mortenson. **Vote: 5-0-0**

Received from Deutsch/Williams an invoice in the amount of \$6,179.83 for legal services rendered in the month of August, 2010. A brief discussion was held relative to the item on the invoice for General Legal Matters.

Motion by Paul Mortenson to approve the invoice from Deutsch/Williams in the amount of \$6,179.83 subject to approval by the Town Manager. Seconded by Lorraine Brue. **Vote: 5-0-0**

Received from Deutsch/Williams an invoice in the amount of \$4,083.33 for retainer services for Retainer Services for the month of September, 2010.

Motion by Larry Harrington to approve the invoice in the amount of \$4,083.33 for Retainer Services for the month of September, 2010. Seconded by Paul Mortenson. **Vote: 5-0-0**

One Day Entertainment License – Received from Living Waters Christian Academy an application for a One Day Entertainment License for October 16, 2010.

Motion by Larry Harrington to approve the application for a One Day Entertainment License as submitted by Living Waters Christian Academy. Seconded by Paul Mortenson. **Vote: 5-0-0**

Two One Day Beer & Wine Licenses – Received from Dan Stapleton, 105 Washington St., Foxborough an application for two One Day Beer and Wine Licenses for the Motorcycle Run to be held on October 10, 2010. A discussion was held regarding concerns raised by some residents and commercial businesses along the route from this event last year.

Motion by Paul Mortenson to approve the request as submitted by Dan Stapleton, 105 Washington Street, Foxborough, subject to a discussion between Dan Stapleton and Ron Young of the Lafayette House, Inc. Seconded by Larry Harrington. **Vote: 5-0-0**

Wampanoag Road Runners – Received a request from Jim Morris, Race Director for Wampanoag Road Runners a request for permission to conduct the annual race through some streets in Foxborough. The race is scheduled for Sunday, February 20, 2011, starting at 11:00 a.m.

Motion by Paul Mortenson to approve the request from Wampanoag Road Runners to conduct the annual road race through some streets in Foborough as requested in the letter dated September 22, 2010 and subject to review by Chief O’Leary. Seconded by Lorraine Brue. **Vote: 5-0-0**

Girls Scouts Troop 80971 – Received a request for permission to build bat houses and place them around Town. This is a project towards the Girl Scout Silver Award.

Motion by Larry Harrington to support this request by the Girl Scout Troop 80971 to build bat houses and place them around Town as submitted. Seconded by Paul Mortenson. **Vote: 5-0-0**

Alliance to Protect Nantucket Sound – Received from Audra Parker, President & CEO, Alliance to Protect Nantucket Sound a request to write a letter to the DPU commissioners and state representatives stating objections to the Cape Wind project. No action taken on this controversial matter.

Revenue Bond - Foxborough Charter School – Received from Steven J. Chilton, Vice President, Mass Development, a notice of approval for a revenue bond for the Foxborough Charter School. This notice is given in the event that the project conflicts with any local or regional comprehensive plan. A brief discussion was held. No action required.

MBTA Commuter Rail Study – Received a request from Walpole Board of Selectmen for a meeting to discuss the feasibility study concerning MBTA rail service from Walpole to the Stadium. A brief discussion was held with suggestions on having more information and someone to come to a Board meeting. Larry Harrington asked to have someone come before the Board for discussion.

Comcast – Tower Site Lease – Received from Amy Keenan, Lease Administrator, Comcast, a letter requesting execution of two copies of the Third Amendment to Lease for the Dudley Hill Tower. A brief discussion was held.

Motion by Larry Harrington to approve the extension of the Comcast lease on the Tower site lease dated July 1, 1980 on Dudley Hill, Foxborough. Seconded by Paul Mortenson. **Vote: 5-0-0**

OLD/NEW BUSINESS:

Jim DeVellis gave a brief update on the status of the employment contract for Kevin Paicos as Town Manager. He explained that the delay had to do with an indemnification issue. He reported that Kevin Paicos wants to make sure this is addressed and expects that to be resolved and the contract ready for signing. As soon as paper work is completed for the Town of Hingham, the start time schedule would be expedited. Lynda Walsh reported that Andy Gala had given his 14-day notice and his last day would be October 12, 2010.

Larry Harrington reported that the Town Audit Committee had reviewed the 6/30/09 year end records. He explained that the process takes almost a year. He suggested that Randy Scollins come before the Board to discuss the Executive Summary. He said it takes one through the highlights of revenue and expenses. Larry feels that it would be very helpful for the citizens to hear that report. He pointed out some areas where explanation would be especially helpful for interested citizens, particularly the OPEB trust account or other accounts where money is sitting idle. He feels it is important for elected persons in Town administration to know where some sources of revenue might be and how that might address the budget issues. Larry explained that this is not a case of trying to “hide” funds because the money was put “put there” for reasons that may not now be valid and those funds could be redirected for other purposes.

Motion to adjourn by Paul Mortenson. Seconded by Larry Harrington.
Vote: 5-0-0 Meeting adjourned at 9:30 p.m.

James J. DeVellis, Clerk